

CLOSED, SEG, STAY

**U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:06-cv-00964-MJR-DGW
Internal Use Only**

Smith v. Merck & Co Inc et al
Assigned to: Judge Michael J. Reagan
Referred to: Mag/Judge Donald G. Wilkerson
Demand: \$75,000
Case in other court: Madison County, 06-L-882
Cause: 28:1332 Diversity-Product Liability

Date Filed: 11/20/2006
Date Terminated: 06/22/2007
Jury Demand: Defendant
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

Robert J Smith, Jr.
*individually and as Special
Administrator of the Estate of Robert J.
Smith, Sr.*

represented by **Aaron K. Dickey**
Goldenberg, Heller, et al.
Generally Admitted
2227 South State Route 157
P.O. Box 959
Edwardsville, IL 62025
618-656-5150
Fax: 618-656-6230
Email: Aaron@gmhalaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Merck & Co Inc
doing business as
MSD Sharp & Dohme GmbH
doing business as
Merck, Sharp and Dohme

represented by **Randy J. Soriano**
Bryan Cave - St. Louis
Generally Admitted
211 North Broadway
One Metropolitan Square, Suite 3600
St. Louis, MO 63102
314-259-2000
Email: rjsoriano@bryancave.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen G. Strauss
Bryan Cave - St. Louis
211 North Broadway
One Metropolitan Square, Suite 3600
St. Louis, MO 63102
314-259-2444
Fax: 314-259-2020

Email: sgstrauss@bryancave.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CVS Edwardsville IL, L.L.C.
doing business as
CVS Pharmacy

represented by **B. Matthew Struble**
Thompson Coburn - St. Louis, MO
One US Bank Plaza
Suite 2600
St. Louis, MO 63101
314-552-6000
Fax: 314-552-7000
Email: mstruble@thompsoncoburn.com

ATTORNEY TO BE NOTICED

David A. Dick
Thompson Coburn - St. Louis, MO
One US Bank Plaza
Suite 2600
St. Louis, MO 63101
314-552-6000
Email: ddick@thompsoncoburn.com
ATTORNEY TO BE NOTICED

Defendant

G.D. Searle, LLC

represented by **Robert H. Shultz, Jr.**
Heyl, Royster et al. - Edwardsville
Generally Admitted
103 West Vandalia Street
P.O. Box 467
Edwardsville, IL 62025
618-656-4646
Email: rshultz@hrva.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Pharmacia Corporation

represented by **Robert H. Shultz, Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Monsanto Company

represented by **Robert H. Shultz, Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Pfizer Inc

represented by **Robert H. Shultz, Jr.**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/20/2006	<u>1</u>	Case Opened. Filing fee paid \$ 350.00, Receipt Number 300 115450. Documents may now be electronically filed. Case number 06-964-DRH must be placed on all documents prior to filing them electronically. (Attachments: # <u>1</u> Notice to consent to trial by Magistrate Judge)(dkd) (Entered: 11/20/2006)
11/21/2006	<u>2</u>	NOTICE of Appearance by Stephen G. Strauss on behalf of Merck & Co Inc (Strauss, Stephen) (Entered: 11/21/2006)
11/22/2006	<u>3</u>	NOTICE OF REMOVAL by Merck & Co Inc from Madison County, case number 06L882. (Filing fee \$ 350) (Attachments: # <u>1</u> Exhibit 1a Page 1 of 3# <u>2</u> Exhibit 1b Page 2 of 3# <u>3</u> Exhibit 1c Page 3 of 3# <u>4</u> Exhibit 2# <u>5</u> Exhibit 3# <u>6</u> Civil Cover Sheet)(Soriano, Randy) (Entered: 11/22/2006)
11/22/2006	<u>4</u>	ANSWER to Complaint with Jury Demand by Merck & Co Inc.(Soriano, Randy) (Entered: 11/22/2006)
11/22/2006	<u>5</u>	MOTION to Stay <i>All Proceedings</i> by Merck & Co Inc. (Soriano, Randy) (Entered: 11/22/2006)
11/22/2006	<u>6</u>	Corporate Disclosure Statement by Merck & Co Inc. (Soriano, Randy) (Entered: 11/22/2006)
11/22/2006	<u>7</u>	CONSENT to Removal by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc. (Shultz, Robert) (Entered: 11/22/2006)
11/22/2006	<u>8</u>	ANSWER to Complaint with Jury Demand by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc.(Shultz, Robert) (Entered: 11/22/2006)
11/22/2006	<u>9</u>	Corporate Disclosure Statement by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc. (Shultz, Robert) (Entered: 11/22/2006)
11/27/2006	<u>10</u>	CONSENT to Removal by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc. (Shultz, Robert) (Entered: 11/27/2006)
11/27/2006	<u>11</u>	Corporate Disclosure Statement by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc. (Shultz, Robert) (Entered: 11/27/2006)
11/28/2006	<u>12</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>9</u> Corporate Disclosure Statement, <u>7</u> Consent to Removal filed by Pfizer, Inc., et al. See attached document for specifics.(lmb) (Entered: 11/28/2006)
12/04/2006	<u>13</u>	RESPONSE to Motion re <u>5</u> MOTION to Stay <i>All Proceedings</i> filed by Robert J Smith, Jr. (Dickey, Aaron) (Entered: 12/04/2006)

12/08/2006	<u>14</u>	REPLY to Response to Motion re <u>5</u> MOTION to Stay <i>All Proceedings</i> filed by Merck & Co Inc. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Strauss, Stephen) (Entered: 12/08/2006)
12/20/2006	<u>15</u>	MOTION to Remand to State Court by Robert J Smith, Jr. (Dickey, Aaron) (Entered: 12/20/2006)
12/20/2006	<u>16</u>	MEMORANDUM in Support re <u>15</u> MOTION to Remand to State Court filed by Robert J Smith, Jr. (Dickey, Aaron) (Entered: 12/20/2006)
12/27/2006	<u>17</u>	Summons Issued as to CVS Edwardsville IL, L.L.C.. (tkm) (Entered: 12/27/2006)
12/29/2006	<u>18</u>	ORDER GRANTING <u>5</u> Motion to Stay pending transfer to MDL. Signed by Judge David R Herndon on 12/29/2006. (seg) (Entered: 12/29/2006)
01/08/2007	<u>19</u>	ORDER OF RECUSAL. Judge Clifford J. Proud recused. Case reassigned to Judge Donald G. Wilkerson for all further pretrial no dispositive motion. Signed by Judge Clifford J. Proud on 1/8/07. (amv) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/08/2007)
01/19/2007	<u>20</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Remand to State Court filed by Merck & Co Inc. (Attachments: # <u>1</u> Exhibit A)(Strauss, Stephen) (Entered: 01/19/2007)
01/31/2007	<u>21</u>	NOTICE of Appearance by David A. Dick on behalf of CVS Edwardsville IL, L.L.C. (Dick, David) (Entered: 01/31/2007)
01/31/2007	<u>22</u>	NOTICE of Appearance by B. Matthew Struble on behalf of CVS Edwardsville IL, L.L.C. (Struble, B.) (Entered: 01/31/2007)
01/31/2007	<u>23</u>	CONSENT to Removal byCVS Edwardsville IL, L.L.C.. (Struble, B.) (Entered: 01/31/2007)
01/31/2007	<u>24</u>	MOTION for Extension of Time to File Answer <i>to Plaintiff's Complaint</i> by CVS Edwardsville IL, L.L.C.. (Struble, B.) (Entered: 01/31/2007)
02/02/2007	<u>25</u>	ORDER FINDING AS MOOT <u>24</u> Motion for Extension of Time to Answer. This action is currently stayed per the Court's <u>18</u> Order of 12/29/2006. Signed by Judge Donald G. Wilkerson on 2/2/2007. (jrw) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/02/2007)
05/03/2007	<u>26</u>	ORDER OF RECUSAL. Judge David R Herndon recused. Case reassigned to Judge Michael J. Reagan for all further proceedings. Signed by Judge David R Herndon on 5/3/07. (pab) (Entered: 05/03/2007)
06/22/2007	<u>27</u>	(Court only) ***Staff notes: Per 6/15/07 correspondence to Judge Reagan from MDL Panel, this case has been transferred to E.D. La. or N.D. Cal. as part of MDL-1657 and/or MDL-1699. (soh) (Entered: 06/22/2007)
06/22/2007	<u>27</u>	ORDER TRANSFERRING CASE (MDL-1657 & MDL-1699): Case transferred to USDC, Northern District of CA. (Attachments: # <u>1</u> Cover

		Letter)(lmb) (Entered: 06/28/2007)
06/28/2007	28	Transfer letter to USDC-Northern District of California (lmb) (Entered: 06/28/2007)